

REMARKS / ARGUMENTS

I. General Remarks and Disposition of the Claims

Please consider the application in view of the following remarks. Applicant thanks the Examiner for the careful consideration of this application.

At the time of the Office Action, claims 1-30 were pending in this application. Claims 1, 3-9, 15, 16 and 28 stand rejected and claims 2, 10-14, 17-27, 29 and 30 are objected to. Applicant respectfully requests reconsideration of the claims in light of the remarks contained herein.

II. Remarks Regarding Amendments to the Specification

The Examiner objected to the abstract of the disclosure because of undue length. (Office Action, at 2). The Abstract of the Disclosure has been amended herein in compliance with MPEP § 608.01(b). Accordingly, the Applicant respectfully requests a withdrawal of this objection.

III. Remarks Regarding Double Patenting Rejections

Claims 1, 3-4, 7-9, 15-16 and 28 stand rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-3, 12, 20-21, 65-66 and 76-77 of U.S. Patent No. 7,054,751. Although Applicant does not necessarily agree with the Examiner's rejection, Applicant submits herewith a properly executed terminal disclaimer in regard to U.S. Patent No. 7,054,751. Accordingly, Applicant respectfully submits that the double-patenting rejection over this patent has been overcome, and respectfully requests the withdrawal of these rejections.

Claims 1 and 3-6 stand rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-7 of U.S. Patent No. 7,272,973. Although Applicant does not necessarily agree with the Examiner's rejection, Applicant submits herewith a properly executed terminal disclaimer in regard to U.S. Patent No. 7,272,973. Accordingly, Applicant respectfully submits that the double-patenting rejection over this patent has been overcome, and respectfully requests the withdrawal of these rejections.

Claims 1 and 3-6 stand rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-7 of U.S. Patent No. 7,389,185. Although Applicant does not necessarily agree with the Examiner's rejection, Applicant submits herewith

a properly executed terminal disclaimer in regard to U.S. Patent No. 7,389,185. Accordingly, Applicant respectfully submits that the double-patenting rejection over this patent has been overcome, and respectfully requests the withdrawal of these rejections.

IV. Remarks Regarding Objections to the Claims

Claims 2, 10-14, 17-27 and 29-30 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form, including all of the limitations of the base claim and any intervening claims. (Office Action, at 4). Claims 2, 10-14, 17-27 and 29-30 depend directly or indirectly from independent claims 1, 15 and 28. As discussed above, independent claims 1, 15 and 28 are now in condition for allowance. Accordingly, the Applicant respectfully requests a withdrawal of these rejections.

V. No Waiver

All of Applicant's arguments are without prejudice or disclaimer. Additionally, Applicant has merely discussed example distinctions from the cited references. Other distinctions may exist, and Applicant reserves the right to discuss these additional distinctions in a later Response or on Appeal, if appropriate. By not responding to additional statements made by the Examiner, Applicant does not acquiesce to Examiner's additional statements, such as, for example, any statements relating to what would be obvious to a person of ordinary skill in the art.

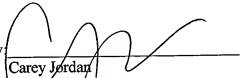
SUMMARY

In light of the above remarks, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections. Applicant further submits that the application is now in condition for allowance, and earnestly solicits timely notice of the same. Should the Examiner have any questions, comments or suggestions in furtherance of the prosecution of this application, the Examiner is invited to contact the attorney of record by telephone, facsimile, or electronic mail.

Applicant believes that no fees are due in association with the filing of this Response. Should the Commissioner deem that any fees are due, including any fees for extensions of time, the Commissioner is authorized to debit Baker Botts L.L.P. Deposit Account

No. 02-0383, Order Number 063718.0371, for any underpayment of fees that may be due in association with this filing.

Respectfully submitted,

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